

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/27340

**Re Item III**

**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

Claims, or part of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The EPO policy when acting as an International Preliminary Examination Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

Consequently, the subject-matter of claims 5 (only partly searched) and 6-11 (not searched, see international search report) is not examined by the International Preliminary Examination Authority.

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Novelty (Article 33(2) PCT)**

The present application does not meet the criterion set forth in Article 33(2) PCT because the subject-matter of claims 1, 2, 4, 12, 14-17 and 19-22 is not new in respect of the prior art as defined in the regulations (Rule 64(1)-(3) PCT).

The following documents disclose already foam components coming within the scope of present claims 1, 2, 4, 12, 14-17 and 19-22:

- a) JP 48 001500 (D1, abstract) depicts a composition comprising a mixture of polystyrene resin and polyvinyl alcohol resin which are kneaded together with a plasticizer, a stabilizer and a foaming agent. The foamed article can be shaped into filaments, pellets or sheets which are dispersible in water. An active ingredient (e.g. insecticides, fungicides, herbicides, deodorants, etc.) is adsorbed thereon.

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b) US-A-5 458 884 (D2, claim 1, example 1) describes a bio-erodible device for administering of active ingredients comprising a water soluble, muco-adherent, lyophilised foam and an active ingredient. The device is obtained by a foaming cellulose polymer in presence of an active ingredient (example 1).

**2. Inventive Step (Article 33(3) PCT)**

The problem to be solved by the present invention may be regarded as to provide an alternative method of protecting and delivering sensible active ingredients in aqueous conditions (page 2, lines 1-2).

Document D1, which is considered to represent the most relevant state of the art, uses the same solution for the underlying problem, in particular active ingredients are protected from ingredients which may react with said active ingredients by incorporating said active ingredients into a foamed particle.

Therefore the principle of the present "invention" is already known from D1 (and also from D2). Moreover, the application is devoid of any examples or indications that specific combinations of features, particularly those mentioned in the claims, provide any unexpected advantage or surprising effect.

Therefore claims 2-4, 12-22 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to inventive step. The described features come within the scope of the customary practice followed by the man skilled in the art, especially as the advantages thus achieved can be readily contemplated in advance.

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The document (D1) which is considered to represent the closest prior art is JP-B-48001500.

D1 discloses a foam component produced from polystyrene resin, polyvinylalcohol resin, a plasticizer, a foaming agent, and a solvent.

The remaining feature of claim 1, that the foam is stable in air but unstable in water, is not explicitly disclosed in D1. However, this feature attempts to define the invention by the result to be achieved. Unless the Applicant can demonstrate that this feature is not present in the prior art compositions disclosed in D1, which otherwise fulfil the structural requirements of claim 1, it will not serve to establish novelty.

Thus, the subject-matter of claim 1 is not novel.

The question of inventive step will only arise if the applicant is able to provide novel claims.

## PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION  
(PCT Rule 61.2)

|  |   |
|--|---|
| Date of mailing (day/month/year)<br>05 June 2001 (05.06.01)              | To:<br><br>Commissioner<br>US Department of Commerce<br>United States Patent and Trademark<br>Office, PCT<br>2011 South Clark Place Room<br>CP2/5C24<br>Arlington, VA 22202<br>ETATS-UNIS D'AMERIQUE<br>in its capacity as elected Office |
| International application No.<br>PCT/US00/27340                          | Applicant's or agent's file reference<br>CM2203M/JB   |
| International filing date (day/month/year)<br>04 October 2000 (04.10.00) | Priority date (day/month/year)<br>05 October 1999 (05.10.99)  |
| Applicant<br>CORRAND, Didier, Marcel et al                               |   |

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

12 March 2001 (12.03.01)

in a notice effecting later election filed with the International Bureau on:

\_\_\_\_\_

2. The election  was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

|   |  |
|---|--|
| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland<br><br>Facsimile No.: (41-22) 740.14.35 | Authorized officer<br><br>Zakaria EL KHODARY<br><br>Telephone No.: (41-22) 338.83.38 |
|---|--|

# EUROPEAN PATENT OFFICE

## Patent Abstracts of Japan

PUBLICATION NUMBER : 06093124  
PUBLICATION DATE : 05-04-94

APPLICATION DATE : 16-09-92  
APPLICATION NUMBER : 04246377

APPLICANT : TOPPAN PRINTING CO LTD;

INVENTOR : SAKAIRI KOJI;

INT.CL. : C08J 9/06 B65D 81/06 C08J 5/18 // C08L 1:00

TITLE : FOAMED PULP SHEET AND ITS PRODUCTION

ABSTRACT : PURPOSE: To provide a sheet which has cushioning properties and can be easily incinerated and used for landfill after use.

CONSTITUTION: A foamed pulp sheet is produced either by mixing pulp contg. a reclaimed pulp, a biodegradable thickener, a thermally decomposable blowing agent, and water, forming the resulting mixture into a sheet, heating the sheet to give a foamed sheet, and drying it, or by vigorously agitating pulp contg. a reclaimed pulp, water, and a surfactant to give a frothed mixture, molding the foam into a sheet, and drying it.

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## PATENT COOPERATION TREATY

REC'D 17 JAN 2002

WIPO

PCT

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

## (PCT Article 36 and Rule 70)

|  |   |   |   |
|--|---|---|---|
| Applicant's or agent's file reference<br><b>CM2203M/JB</b>   | <b>FOR FURTHER ACTION</b>   |   | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
| International application No.<br><b>PCT/US00/27340</b>   | International filing date (day/month/year)<br><b>04/10/2000</b>   | Priority date (day/month/year)<br><b>05/10/1999</b> |   |
| International Patent Classification (IPC) or national classification and IPC<br><b>C11D11/00</b>   |   |   |   |
| <p><b>Applicant</b><br/><b>THE PROCTER &amp; GAMBLE COMPANY</b></p> <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 1 sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul> |   |   |   |
| Date of submission of the demand<br><b>12/03/2001</b>  | Date of completion of this report<br><b>15.01.2002</b>  |   |   |
| Name and mailing address of the international preliminary examining authority:<br><br><b>European Patent Office</b><br><b>D-80298 Munich</b><br><b>Tel. +49 89 2399 - 0</b> <b>Tx: 523656 epmu d</b><br><b>Fax: +49 89 2399 - 4465</b>  | Authorized officer<br><b>Miller, B</b><br>Telephone No. <b>+49 89 2399 8540</b> <div style="text-align: right; margin-top: 20px;">  </div> |   |   |

## (12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization  
International Bureau(43) International Publication Date  
12 April 2001 (12.04.2001)

PCT

(10) International Publication Number  
WO 01/25390 A3

(51) International Patent Classification<sup>7</sup>: B29C 44/34. (81) Designated States (national): AE, AG, AL, AM, AT, AT (utility model), AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, CZ (utility model), DE, DE (utility model), DK, DK (utility model), DM, DZ, EE, EE (utility model), ES, FI, FI (utility model), GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KR (utility model), KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SK (utility model), SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(21) International Application Number: PCT/US00/27340

(22) International Filing Date: 4 October 2000 (04.10.2000)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data: 9923344.7 5 October 1999 (05.10.1999) GB

(71) Applicant (for all designated States except US): THE PROCTER & GAMBLE COMPANY [US/US]; One Procter & Gamble Plaza, Cincinnati, OH 45202 (US).

(72) Inventors; and

(75) Inventors/Applicants (for US only): CORRAND, Dider, Marcel [FR/FR]; Saint Julian, F-38460 Siccieu (FR). YORK, David, William [GB/GB]; 10 Ladywell Way, Ponteland, Newcastle upon Tyne NE20 9TB (GB). SOM-MERVILLE-ROBERTS, Nigel [GB/GB]; 42 Cavendish Place, Jesmond, Newcastle upon Tyne NE2 2NH (GB).

(74) Agents: REED, T., David et al.; The Procter & Gamble Company, 5299 Spring Grove Avenue, Cincinnati, OH 45217-1087 (US).

## Published:

- with international search report
- with amended claims

(88) Date of publication of the international search report: 27 September 2001

Date of publication of the amended claims: 6 December 2001

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

WO 01/25390 A3

(54) Title: WATER UNSTABLE FOAM COMPOSITIONS

(57) Abstract: The present invention relates to foam components comprising polymeric material and an active ingredient, such as detergent ingredients, which are to be delivered to aqueous environment. Highly preferred active ingredients include enzymes. The foam component is stable upon contact with air but dissolves, disintegrates or disperses in water. The invention also relates to compositions containing the foam components and methods for making the foam components.

INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

International application No. PCT/US00/27340

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-27 as originally filed

**Claims, pages:**

28,30,31 as originally filed

29 as received on 12/03/2001 with letter of 09/03/2001

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

International application No. PCT/US00/27340

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

the entire international application.  
 claims Nos. 5-11.

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (specify):

the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for the said claims Nos. 5 (partly), 6-11.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

the written form has not been furnished or does not comply with the standard.  
 the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)                    Yes: Claims 3,13,18  
                                  No: Claims 1,2,4,12,14-17, 19-22

Inventive step (IS)           Yes: Claims

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/27340

No: Claims 1-4,12-22

Industrial applicability (IA) Yes: Claims 1-4,12-22  
No: Claims

2. Citations and explanations  
see separate sheet

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 00/27332

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C08J9/30 C08J9/28 C09D5/00 C11D3/37

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C08J C09D C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No. |
|----------|--|-----------------------|
| X        | DE 21 26 161 A (LIO FAT & OIL CO.)<br>9 December 1971 (1971-12-09)<br>claims<br>-----  | 1,2,4,5,<br>7,11-14   |
| X        | DATABASE WPI<br>Section Ch,<br>Derwent Publications Ltd., London, GB;<br>Class A13, AN 1973-05056U<br>XP002156171<br>& JP 48 001500 B (NIPPON SYNTHETIC CHEM<br>IND CO)<br>abstract<br>----- | 1,2,4,7,<br>8,14      |
| A        | US 5 543 439 A (MCDERMOTT KEITH J ET AL)<br>6 August 1996 (1996-08-06)<br>claims<br>-----  | 1-14<br>-/-           |

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

21 December 2000

09/01/2001

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel: (+31-70) 340-2040, Tx. 31 651 epo nl.  
Fax: (+31-70) 340-3016

Authorized officer

Oudot, R

XP-002156171

AN - 1973-05056U [04]

A - [001] 012 04-040 055 056 231 244 245 481 525 526 532 533 535 537 611  
641 688 720 728

CPY - NISY

DC - A13 A14 A97 C03

FS - CPI

IC - A01N17/08

MC - A04-C02E A07-A02 A10-E09B A12-W04 A12-W12 C04-C03 C12-A02 C12-L01  
C12-M10 C12-N02 C12-P06

M1 - [01] V743 G100 M531 H401 H481 H721 M240 M431 P341 P144 P002 P241 P242  
M510 M520 M530 M540 M782 R003 Q251 R051 R052 M423 M902

M2 - [02] J1 H5 H6 M311 M332 M321 M280 M342 M340 M380 M391 G100 M531 J171  
H541 H542 H602 H608 M630 M431 P341 P144 P002 P241 P242 M510 M520 M540  
M782 R003 Q251 R051 R052 M414 M902

PA - (NISY ) NIPPON SYNTHETIC CHEM IND CO

PN - JP48001500B B 00000000 DW197304 000pp

PR - JP19700115506 19701221

XIC - A01N-017/08

AB - J73001500 Compsn. is produced by the following steps: (1) a mixt. of polystyrene resin and polyvinylalcohol resin is melted, kneaded and shaped at 170-230 degrees C together with plasticizer, stabilizer, foaming agent, bulking agent, colouring agent etc., if desired, into filaments, pellets, sheets etc. (2) A soln. of active ingredient in a solvent or swelling agent such as acetone, M.E.K., cyclohexanone, acetophenone, (m)ethyl acetate, diethyl ether, T.H.F. n-hexane, n-octane, cyclohexane, benzene, toluene, CCl4, CHCl3, trichloroethylene and CH2Cl2 is absorbed into above-mentioned shaped products.

IW - SOLID COMPOSITION CONTAIN INSECT FUNGICIDE HERBICIDE DEODORISE  
DISPERSE WATER

IKW - SOLID COMPOSITION CONTAIN INSECT FUNGICIDE HERBICIDE DEODORISE  
DISPERSE WATER

NC - 001

OPD - 1970-12-21

ORD - 1900-00-00

PAW - (NISY ) NIPPON SYNTHETIC CHEM IND CO

TI - Solid compsn contg insecticides fungicides, herbicides - deodorants  
etc - dispersible in water

PATENT COOPERATION TREATY

PCT  
NOTIFICATION OF ELECTION  
(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

|  |   |
|--|---|
| Date of mailing:<br>12 April 2001 (12.04.01)             | To:<br>Commissioner<br>US Department of Commerce<br>United States Patent and Trademark<br>Office, PCT<br>2011 South Clark Place Room<br>CP2/5C24<br>Arlington, VA 22202<br>ETATS-UNIS D'AMÉRIQUE<br>in its capacity as elected Office |
| International application No.:<br>PCT/US00/27332         | Applicant's or agent's file reference:<br>CM2414/JB   |
| International filing date:<br>04 October 2000 (04.10.00) | Priority date:<br>05 October 1999 (05.10.99)  |
| Applicant:<br>MCGOFF, Matthew, Grady et al               |   |

1. The designated Office is hereby notified of its election made:

in the demand filed with the International preliminary Examining Authority on:  
05 February 2001 (05.02.01)

in a notice effecting later election filed with the International Bureau on:  
\_\_\_\_\_

2. The election  was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

|   |   |
|---|---|
| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland<br>Facsimile No.: (41-22) 740.14.35 | Authorized officer:<br>J. Zahra<br>Telephone No.: (41-22) 338.83.38 |
|---|---|

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/US 00/27332

| Patent document cited in search report |   | Publication date | Patent family member(s) |             | Publication date |
|--|---|------------------|-------------------------|-------------|------------------|
| DE 2126161                             | A | 09-12-1971       | JP                      | 50011401 B  | 01-05-1975       |
| JP 48001500                            | B |                  | NONE                    |             |                  |
| US 5543439                             | A | 06-08-1996       | AU                      | 679651 B    | 03-07-1997       |
|  |   |                  | AU                      | 4025795 A   | 05-09-1996       |
|  |   |                  | DE                      | 69512020 D  | 14-10-1999       |
|  |   |                  | EP                      | 0728804 A   | 28-08-1996       |
|  |   |                  | ES                      | 2136255 T   | 16-11-1999       |
|  |   |                  | GB                      | 2290300 A,B | 20-12-1995       |
|  |   |                  | NL                      | 1001434 C   | 05-02-1998       |
|  |   |                  | NL                      | 1001434 A   | 28-08-1996       |
|  |   |                  | NZ                      | 280593 A    | 26-07-1996       |
| US 5458884                             | A | 17-10-1995       | CA                      | 2105887 A   | 11-03-1994       |
|  |   |                  | EP                      | 0643963 A   | 22-03-1995       |
|  |   |                  | NO                      | 933239 A    | 04-05-1994       |
|  |   |                  | NZ                      | 299162 A    | 27-05-1998       |
|  |   |                  | US                      | 5650192 A   | 22-07-1997       |
|  |   |                  | US                      | 5891458 A   | 06-04-1999       |
|  |   |                  | ZA                      | 9306711 A   | 10-03-1995       |
| JP 06093124                            | A | 05-04-1994       | NONE                    |             |                  |

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/27332

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

| Category | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No. |
|----------|---|-----------------------|
| A        | US 5 458 884 A (BRITTON PETER ET AL)<br>17 October 1995 (1995-10-17)<br>column 7, line 2-5<br>example 1<br>column 5, line 60 -column 6, line 3<br>claims<br>----                    | 1-14                  |
| A        | PATENT ABSTRACTS OF JAPAN<br>vol. 018, no. 361 (C-1222),<br>7 July 1994 (1994-07-07)<br>& JP 06 093124 A (TOPPAN PRINTING CO LTD),<br>5 April 1994 (1994-04-05)<br>abstract<br>---- | 1-14                  |

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|   |   |  |
|---|---|--|
| Applicant's or agent's file reference<br><b>CM2414/JB</b>   | <b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below. |  |
| International application No.<br><b>PCT/US 00/27332</b>     | International filing date (day/month/year)<br><b>04/10/2000</b>   | (Earliest) Priority Date (day/month/year)<br><b>05/10/1999</b> |
| Applicant<br><b>THE PROCTER &amp; GAMBLE COMPANY et al.</b> |   |  |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  **Certain claims were found unsearchable (See Box I).**

3.  **Unity of invention is lacking (see Box II).**

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

WATER UNSTABLE FOAM

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

None of the figures.

## PATENT COOPERATION TREATY

REC'D 05 DEC 2001

WIPO PCT

PCT

14

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference<br>CM2414/JB   | FOR FURTHER ACTION                                       |  | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
| International application No.<br>PCT/US00/27332  | International filing date (day/month/year)<br>04/10/2000 | Priority date (day/month/year)<br>05/10/1999 |   |
| International Patent Classification (IPC) or national classification and IPC<br>C08J9/30   |  |  |   |
| Applicant<br>THE PROCTER & GAMBLE COMPANY et al.   |  |  |   |
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>  |  |  |   |
| <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul> |  |  |   |

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|--|---|
| Date of submission of the demand<br>05/02/2001   | Date of completion of this report<br>03.12.2001                   |
| Name and mailing address of the international preliminary examining authority:<br><br>European Patent Office<br>D-80298 Munich<br>Tel. +49 89 2399 - 0 Tx: 523656 epmu d<br>Fax: +49 89 2399 - 4465 | Authorized officer<br>Heslop, P<br>Telephone No. +49 89 2399 8676 |



INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

International application No. PCT/US00/27332

**I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-35 as originally filed

**Claims, No.:**

1-14 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description,      pages:
- the claims,      Nos.:
- the drawings,      sheets:

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/27332

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

**6. Additional observations, if necessary:**

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N) Yes: Claims 2-14  
No: Claims 1

Inventive step (IS) Yes: Claims  
No: Claims 2-14

Industrial applicability (IA) Yes: Claims 1-14  
No: Claims

**2. Citations and explanations  
see separate sheet**